

MIOSHA Fact Sheet

Injury and Illness Recordkeeping Requirements for Temporary Workers



[MIOSHA Safety and Health Standard Part 11. Recording and Reporting of Occupational Injuries and Illnesses](#) requires employers to record work-related injuries and illnesses on the MIOSHA 300 log for all employees on their payroll. The employer that is required to manage the injury and illness recordkeeping and reporting requirements is the employer who manages the day-to-day supervision of the temporary worker in performing their tasks.

The managing employer supervises not only the output, product, or result to be accomplished by the person's work, but also the details, means, methods, and processes by which the work objective is accomplished.

Host employers who use the services of temporary staffing agencies and provides day-to-day supervision of the temporary employee are required to record the employee's injuries and illnesses on their log and report to MIOSHA if the injury or illness triggers the reporting requirements in the standard.

If the temporary staffing agency provides the day-to-day supervision of the activities of the temporary employee while on the host employer's worksite, the temporary staffing agency shall record the temporary employee's injuries and illnesses on the temporary staffing agency's log. The temporary staffing agency shall report the injury or illness to MIOSHA if required by the standard.

Standard Reference:

R 408.22131 Covered employees.

Rule 1131. (1) Basic requirement. You must record on the MIOSHA 300 Log the recordable injuries and illnesses of all employees on your payroll, whether they are labor, executive, hourly, salary, part-time, seasonal, or migrant workers. You also must record

the recordable injuries and illnesses that occur to employees who are not on your payroll

if you supervise these employees on a day-to-day basis. If your business is organized as a sole proprietorship or partnership, the owner or partners are not considered employees for recordkeeping purposes.

(2) All of the following apply to implementation of subrule (1) of this rule:

(a) If a self-employed person is injured or becomes ill while doing work at my business, do I need to record the injury or illness?

No, self-employed individuals are not covered by these rules.

(b) If I obtain employees from a temporary help service, employee leasing service, or personnel supply service, am I required to record an injury or illness occurring to one of those employees?

You must record these injuries and illnesses if you supervise these employees on a day-to-day basis.

(c) If an employee in my establishment is a contractor's employee, must I record an injury or illness occurring to that employee?

If the contractor's employee is under the day-to-day supervision of the contractor, the contractor is responsible for recording the injury or illness. If you supervise the contractor employee's work on a day-to-day basis, you must record the injury or illness.

(d) Must the personnel supply service, temporary help service, employee leasing service, or contractor also record the injuries or illnesses occurring to temporary, leased, or contract employees that I supervise on a day-to-day basis?

No, you and the temporary help service, employee leasing service, personnel supply service, or contractor should coordinate your efforts to make sure that each injury and illness is recorded only once: either on your MIOSHA 300 Log if you provide day-to-day supervision or on the other employer's MIOSHA 300 Log if that company provides day-to-day supervision.

LEO is an equal opportunity employer/program.



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(CET Fact Sheet #193 • Revised 7/22/2022)



Host employers and temporary staffing agencies must communicate before hiring to outline injury reporting procedures for temporary staff and identify each other's responsibilities according to MIOSHA rules.

If a host employer holds the responsibility for recordkeeping and reporting due to its day-to-day supervision of the temporary employee, then the host employer must receive the necessary medical information from the temporary agency so the host employer can fulfill its reporting and recordkeeping obligations to MIOSHA.

Reporting Requirements

Within **8 hours** after the death of any employee from a work-related incident the employer must report to MIOSHA. You must report the fatality by telephone to the MIOSHA's toll-free central telephone number: 1-800-858-0397.

Within **24 hours** after the inpatient hospitalization of one or more employees, an employee's amputation, or an employee's loss of an eye, due to a work-related incident, the employers must report to MIOSHA's toll-free central telephone number: 1-844-464-6742 or by electronic submission using the reporting application located on MIOSHA's web site at: [LEO - Recordkeeping and Reporting \(michigan.gov\)](http://LEO-Recordkeeping-and-Reporting.michigan.gov)

Employee Involvement

The MIOSHA Recordkeeping standard also provides for employee involvement related to reporting occupational injuries and illness. Employers must ensure their employees know how to report an injury or illness. Employers must also provide employees and their representatives limited access to injury and illness records. An employer can establish employee involvement by providing a system by which employees can promptly report a work-related injury and illness.

Recording and Reporting Occupational Injuries and Illnesses

Keeping track of accidents, injuries, and illnesses can help prevent them. Accident, injury, and illness data help identify problem areas. The more known, the

better an employer can identify and correct hazardous workplace conditions.

Accurate recordkeeping will allow an employer to better administer safety and health programs. As employee awareness about workplace accidents, injuries, illnesses, and hazards improve, employees are more likely to follow safe work practices and report workplace hazards.

Here are some important tips:

- The staffing agency should involve the host staff responsible for safety and health when placing temporary employees to ensure they have reporting/emergency contact information for the temporary agency on file and it is readily accessible.
- Host staff should maintain a list of temporary employees in the workplace and coordinate with the responsible staffing agencies to ensure they have the correct recordkeeping and injury forms on file.
- The host employer should ensure all temporary employees are included in the company's orientation that especially includes safety and health procedures.
- Host employers who regularly use the same temporary agency may wish to include a link to the temporary agency's incident forms with the contact information for the temporary agency on their website. The host employer should include this information during the temporary employees' orientation.
- Read and refer to [MIOSHA Safety and Health Standard Part 11. Recording and Reporting of Occupational Injuries and Illnesses](#).

Resources

MIOSHA's Consultation Education and Training (CET) Division offers statewide safety and health assistance to employers and employees.

To learn more about free services available from the CET Division, or to request a visit, call the Lansing office at 517-284-7720 or 800-866-4674, or submit your request electronically at www.michigan.gov/cetrca.

Download free materials from the MIOSHA and OSHA websites:

[Recordkeeping Standard](#)
[Recordkeeping Forms and Guidelines](#)
[OSHA's Recordkeeping Rule](#)